

Receipt Number

552645

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
DETROIT DIVISION**

LOUISE S. CAFOLLA,

Plaintiff,

v.

GULF COAST COLLECTION BUREAU,
INC.

Defendant.

Case: 2:07-cv-10078
Assigned To: Cox, Sean F
Referral Judge: Scheer, Donald A
Filed: 01-03-2007 At 02:57 PM
REM CAFOLLA V. GULF COAST COLLECTIO
N BUREAU INC (TAM)

NOTICE OF REMOVAL

Now comes Defendant Gulf Coast Collection Bureau, Inc., pursuant to 28 U.S.C. §§ 1331, 1441, and 15 U.S.C. § 1692k(d), and files this Notice of Removal, and in support hereof sets forth the following grounds:

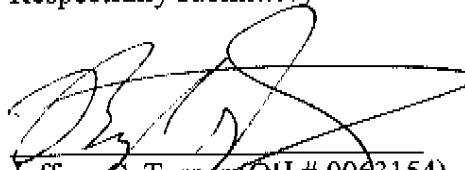
1. On or after November 28, 2006, Defendant Gulf Coast Collection Bureau, Inc., was served with Plaintiff's Complaint, a copy of which is attached hereto, in an action entitled Louise S. Cafolla v. Gulf Coast Collection Bureau, Inc. filed of record with the clerk of the 47th District Court, Michigan.
2. Plaintiff's Complaint purports to set forth a cause of action under 15 U.S.C. §§ 1692 *et seq.*
3. This Court has original jurisdiction over Plaintiff's cause of action based on 15 U.S.C. §§ 1692, *et seq.*, as set forth in 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d). Pursuant to 28 U.S.C. § 1441, therefore, the civil action pending in the 47th District Court, Michigan., is removable to this Court.
4. Along with this Notice of Removal, Defendant is filing its Answer to Plaintiff's Complaint with the Clerk of the United States District Court for the Eastern

District of Michigan.

5. Thirty (30) days have not yet expired since receipt of Plaintiff's Complaint.
6. Copies of all process, pleadings and orders served upon Defendant in this action are attached hereto.
7. Defendant has provided written notice of the filing of this Notice of Removal to Plaintiff by ordinary mail on this date and has also forwarded a Notice for filing with the clerk of 47th District Court, Michigan regarding this Notice of Removal.

WHEREFORE, Defendant prays that the above-captioned action now pending in 47th District Court, Michigan, be removed therefrom and placed on the regular docket of the United States District Court for the Eastern District of Michigan.

Respectfully submitted,



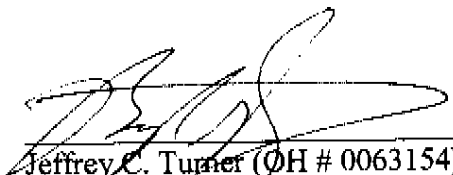
Jeffrey C. Turner (OH # 0063154)
Boyd W. Gentry (OH # 0071057)
SURDYK, DOWD & TURNER CO., L.P.A.
Kettering Tower Suite 1610
40 N. Main Street
Dayton, OH 45423
Tel.: (937) 222-2333
Fax: (937) 222-1970
jturner@sdtlawyers.com
bgentry@sdtlawyers.com
Trial Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served via U.S. mail to the following on December 28, 2006:

Brian P. Parker, Esq.,
30700 Telegraph Road, Suite 1580
Bingham Farms, MI 48025
Attorney for Plaintiff

Jeff Smolek
Venture Plaza 3150 Livernois, Suite 335
Troy, Michigan 48083
jsmolek@paludasmolek.com
Attorney for Defendant in the
47th District Court, Michigan



Jeffrey C. Turner (OH # 0063154)
Boyd W. Gentry (OH # 0071057)
SURDYK, DOWD & TURNER CO., L.P.A.
Kettering Tower Suite 1610
40 N. Main Street
Dayton, OH 45423
Tel.: (937) 222-2333
Fax: (937) 222-1970
jturner@sdtlawyers.com
bgentry@sdtlawyers.com
Trial Attorneys for Defendant

**IN THE 47th DISTRICT COURT
FOR THE STATE OF MICHIGAN**

LOUISE S. CAFOLLA

Plaintiff,

**Case No.
Hon.**

-vs-

GULF COAST COLLECTION BUREAU, INC

Defendant.

LAW OFFICES OF BRIAN P. PARKER, P.C.
BRIAN P. PARKER (P48617)
Attorney for Plaintiff
30700 Telegraph Road, Suite 1580
Bingham Farms, MI 48025
(248) 642-6268
(248) 642-8875 (Fax)
lemonlaw@ameritech.net
www.collectionstopper.com

COMPLAINT AND DEMAND FOR JURY

Plaintiff, **LOUISE S. CAFOLLA** (Plaintiff), by and through counsel, brings this action against the above listed Defendants, **GULF COAST COLLECTION BUREAU, INC** ("Defendant"), on the grounds and in the amounts set forth herein:

I. PRELIMINARY STATEMENT

The plaintiff brings this action for damages based upon the Defendant's violations of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692 *et seq.*, and seeks actual damages, punitive damages, costs and attorney's fees.

II. PARTIES

1.

The plaintiff is a natural person and consumer, a resident of Farmington Hills, Oakland County, Michigan, and a "consumer" as defined by 15 U.S.C. § 1692a(3).

2.

The defendant is a Foreign Corporation in the State of Florida. Defendant has made all contacts with Plaintiff in Farmington Hills, State of Michigan.

3.

The defendant is engaged in the collection of debts from consumers using the mail and telephone. The defendants regularly attempt to collect consumer debts alleged to be due another and is a "debt collector" as provided in 15 U.S.C. § 1692a(6). Defendant and Defendant representatives are not licensed to collect debts in the State of Michigan.

III. JURISDICTION AND VENUE

4.

This court has subject matter jurisdiction over this Complaint pursuant to FDCPA, 15 U.S.C. § 1692 *et seq.* The venue is proper in any court of competent jurisdiction under 15 U.S.C. § 1692k(d). The court may also exercise supplemental jurisdiction over the related state law claims arising out of the same nucleus of operative facts that give rise to any federal law claims under 28 U.S.C. 1367.

IV. STATUTORY STRUCTURE

FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)

5.

The FDCPA was passed to eliminate abusive debt collection practices by debt collectors, to insure that those debt collectors who refrain from using abusive debt collection practices are

not competitively disadvantaged, and to promote consistent State action to protect consumers against debt collection abuse. 15 U.S.C. § 1692.

6.

Under the FDCPA, a "consumer" is any natural person obligated or allegedly obligated to pay any debt. 15 U.S.C. § 1692a(3).

7.

Under the FDCPA, "debt" means any obligation or alleged obligation of a consumer to pay money arising out of a transaction in which the money, property, insurance, or services which are the subject of the transaction are primarily for personal, family, or household purposes. 15 U.S.C. § 1692a(5).

8.

Under the FDCPA, a "debt collector" is any person who uses any instrumentality of interstate commerce or the mails in any business the principal purpose in which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due to another. 15 U.S.C. § 1692a(6).

9.

A debt collector may not use any false, deceptive, or misleading representation or means in connection with the collection of any debt. 15 U.S.C. § 1692e.

10.

A debt collector may not violate the FDCPA, 15 U.S.C. § 1692e(5) by threatening Plaintiff with a lawsuit that was not possible given that the Defendant is threatening Plaintiff for a debt she does not owe and the Defendant has not responded to Plaintiff's validation request.

11.

Any debt collector who fails to comply with the provisions of the FDCPA is liable for any actual damages sustained, statutory damages up to \$1,000.00, attorneys' fees as determined by the Court and costs of this action. 15 U.S.C. § 1692k.

12.

The Michigan Collection Practices Act (MCPA), MCLA 445.251 et seq. is an act to regulate the collection practices of certain persons; to provide for the powers and duties of certain state agencies; and to provide penalties and civil fines.

13.

A "Collection agency" means a person directly or indirectly engaged in soliciting a claim for collection or collecting or attempting to collect a claim owed or due or asserted to be owed or due another, or repossessing or attempting to repossess a thing of value owed or due or asserted to be owed or due another person, arising out of an expressed or implied agreement. MCLA 445.251 (1) (b).

14.

A "Consumer" or "debtor" means a natural person obligated or allegedly obligated to pay a debt. MCLA 445.251 (1)(d).

15.

Prohibited acts by debt collectors or collection agencies under MCLA 445.252 include:

- (a) Communicating with a debtor in a misleading or deceptive manner, such as using the stationery of an attorney or credit bureau unless the regulated person is an attorney or is a credit bureau and it is disclosed that it is the collection department of the credit bureau.
- (b) Using forms or instruments which simulate the appearance of judicial process.

(d) Using forms that may otherwise induce the belief that they have judicial or official sanction.

(e) Making an inaccurate, misleading, untrue, or deceptive statement or claim in a communication to collect a debt.

(f) Misrepresenting in a communication with a debtor 1 or more of the following:

(i) The legal status of a legal action being taken or threatened.

(ii) The legal rights of the creditor or debtor.

(iii) That the nonpayment of a debt will result in the debtor's arrest or imprisonment, or the seizure, garnishment, attachment, or sale of the debtor's property.

(l) Communicating information relating to a debtor's indebtedness to an employer or an employer's agent unless the communication is specifically authorized in writing by the debtor subsequent to the forwarding of the claim for collection, the communication is in response to an inquiry initiated by the debtor's employer or the employer's agent, or the communication is for the purpose of acquiring location information about the debtor.

(q) Failing to implement a procedure designed to prevent a violation by an employee.

(s) Employing a person required to be licensed under article 9 of Act No. 299 of the Public Acts of 1980, being sections 339.901 to 339.916 of the Michigan Compiled Laws, to collect a claim unless that person is licensed under article 9 of Act No. 299 of the Public Acts of 1980.

(n) Using a harassing, oppressive, or abusive method to collect a debt.

16.

Under The Michigan Collection Practices Act, MCLA 445.257 et seq. (1) A person who suffers injury, loss, or damage, or from whom money was collected by the use of a method, act, or practice in violation of this act may bring an action for damages or other equitable relief. (2) In an action brought pursuant to subsection (1), if the court finds for the petitioner, recovery shall be in the amount of actual damages or \$50.00, whichever is greater. If the court finds that the method, act, or practice was a wilful violation, the court may assess a civil fine of not less than 3 times the actual damages, or \$150.00, whichever is greater, and shall award reasonable attorney's fees and court costs incurred in connection with the action.

V. FACTUAL ALLEGATIONS

17.

In 2006, Plaintiff started to receive calls and letters from Defendant for a debt she disputes as not owed. Defendant's representative, Jim Williams, contacted Plaintiff in March and April seeking money for a medical debt.

18.

Defendant's representative, Jim Williams, stated he was from a debt collector but at no time did he follow the FDCPA, 15 U.S.C. § 1692g(a) requirements notifying Plaintiff of her validation rights. Plaintiff did not receive anything in writing from Defendant's within five days thereafter. Plaintiff disputed the debt with Mr. Williams.

19.

In May of 2006, Plaintiff received a letter from Defendant. Please see Exhibit 1.

20.

Defendant did not contact Plaintiff in writing within five days of the initial communication

with Plaintiff in March of 2006. The letter at Exhibit 1 that Plaintiff received in May of 2006, did not contain the mandatory "mini miranda" language of 1692g(u) that requires

(3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector;

(4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and

(5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

21.

On or about May 23, 2006, Plaintiff sent a certified letter to Defendant stating that "I dispute -Validation requested-Do not call-Cease Collection Activity." Please see Exhibit 2.

20.

On or about May 30, 2006, Plaintiff received a letter from Defendant acknowledging receipt of the May 23, 2006 correspondence and the letter further stated that the account would be "reported to the Consumer Credit Reporting Agencies as a disputed collection account until you remove the dispute or otherwise settle this account." Please see Exhibit 3.

21.

In October of 2006 Plaintiff discovered that the debt was on her credit report and marked as "derogatory" and not marked "disputed" as the law requires and Defendant acknowledged. Please

see Exhibit 4. Plaintiff wrote a letter to complain and dispute this credit reporting with her "Intent to Sue" letter. Please see Exhibit 5. Plaintiff checked her credit again in November of 2006 and discovered that the trade line was still listed as "derogatory." Please see Exhibit 6

22.

As a result of Defendant's wrongful conduct, Plaintiff has suffered statutory, actual, emotional and financial damages and also seeks his attorney fees and costs under the FDCPA and MCPA.

VI. CAUSES OF ACTION

CLAIM AGAINST DEFENDANT UNDER THE FDCPA AND MCPA

23.

Defendant has violated the FDCPA, 15 U.S.C. § 1692e(2) by falsely representing the character, amount or legal status of any debt here.

24.

Defendant has violated the FDCPA, 15 U.S.C. § 1692g(a) by failing to alert Plaintiff as to the 30-day validation notice rights of the Plaintiff in the initial communication.

25.

The defendant has violated the FDCPA, 15 U.S.C. § 1692c (10) by the use of false representations and deceptive means in pursuing Plaintiff for a debt that was not validated.

26.

The defendant has violated the FDCPA, 15 U.S.C. § 1692f(1) by seeking to collect any amount (including interest, fee, charge, or expense incidental to the principal obligation) not authorized by the agreement and not signed by Plaintiff that creates the debt

27.

Defendant has violated the FDCPA, 15 U.S.C. § 1692c(8) communicating credit information which is known to be false and disputed to the credit reporting bureaus.

28.

Defendant has violated MCLA 445.252 (a) with the use of false representations and deceptive means in his contact of Plaintiff.

29.

Defendant has violated MCLA 445.252 (f), (I) and (ii) by misrepresenting the legal status of the debt and the collection status.

30.

Defendant has violated MCLA 445.252 (a), (c), (I), (n) and (q) in making an inaccurate, misleading and untrue statement regarding the legal rights of Plaintiff in collecting the debt.

31.

Defendant has violated MCLA 445.252 (s) in that Defendant and Defendant employees are collecting debts in the State of Michigan without a license with the State of Michigan Collection Licensing Bureau.

32.

Under MCLA 445.257 et seq., Plaintiff is eligible for equitable relief, treble damages and his attorney fees and costs, and further statutory damages under the act.

33.

As a result of the actions of Defendant, Plaintiff hired the undersigned counsel. Counsel has been an attorney in good standing for almost 13 years and has

handled thousands of consumer cases, personally. Counsel is known in his field of a consumer advocate and a competent, experienced consumer trial attorney. As a result, counsel's time is billed at the reasonable rate of \$350.00 an hour.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court grants the following relief against the Defendant:

1. For compensatory damages;
2. For statutory damages;
3. For punitive damages;
4. For attorneys' fees and costs incurred in this action;
5. For Triple Damages under the MCPA, and
5. For such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMAND

Plaintiff demands a Trial by Jury on all issues.

This 28th day of November, 2006.

Respectfully submitted,


BRIAN D. PARKER (D-8617)
Attorney for Plaintiff

5830 Marquesas Circle
Sarasota FL 34233-3331
FORWARDING SERVICE REQUESTED

GULF COAST COLLECTION BUREAU INC

Exhibit #1

May 11, 2006

GULF COAST COLLECTION BUREAU INC
5830 Marquesas Circle
Sarasota FL 34233-3331
b6b7c8d9e0f1g2h3i4j5k6l7m8n9o0p1q2r3s4t5u6v7w8x9y0z1

04-00P 52851 7572

b6b7c8d9e0f1g2h3i4j5k6l7m8n9o0p1q2r3s4t5u6v7w8x9y0z1
Louise Calola

Master Account #: 284
Total Amount: \$02/04/06

Past Due Balance



Detach Upper Portion And Return With Payment

Please Call (941) 684-1710 or (877) 827-4820

Creditor	Account #	Regarding	Am't Owed	Serv Date
Orthotic & Prosthetic C	441		1906.00	02/04/06

REMINDER

This letter is intended to update you with regard to the current balance on your account. Please return this statement with your next payment. We have included an envelope for your convenience.

This is a communication from a debt collector. This is an attempt to collect a debt, and any information obtained will be used for that purpose.

If you wish to pay by VISA, MasterCard or Discover, fill in the information below and return the entire letter to us.
You MUST include the 3-digit security number, found on the back of your credit card

Account Number	3-Digit Security #	Payment Amount	Expiration Date
		\$	

Card Holder Name
1800ULP01904

Signature of Card Holder

Date

5-23-06
I dispute -
Validation requested
DO NOT CALL
Cease collection activity
Louise Calola

5830 Marquesas Circle
Sarasota FL 34233-3331
FORWARDING SERVICE REQUESTED

GULF COAST COLLECTION BUREAU INC

Exhibit #2

May 11, 2006

254-00P 52851 7572

Louise Catola

GULF COAST COLLECTION BUREAU INC
5830 Marquesas Circle
Sarasota FL 34233-3331

Master Account # 254
Total Amount: \$02,04/06



Creditor

Orthotic & Prosthetic C

Account #

441

Regarding

Am Oved

1906.00

Serv Date

02/04/06

Please Call (941) 684-1710 or (877) 827-4820

REMINDER

This letter is intended to update you with regard to the current balance on your account. Please return this statement with your next payment. We have included an envelope for your convenience.

This is a communication from a debt collector. This is an attempt to collect a debt, and any information obtained will be used for that purpose.

If you wish to pay by VISA, MasterCard or Discover, fill in the information below and return the entire letter to us. You MUST include the 3-digit security number, found on the back of your credit card.

Account Number

3-Digit
Security #

Payment Amount

Expiration Date

Card Holder Name
150000/01000

Signature of Card Holder

Date

5-23-06
I dispute -
Validation requested
Do NOT call
Cease collection activity
Janice Capella

SENDER - COMPLETE THIS SECTION		RECIPIENT - THIS SECTION IS FOR THE ADDRESSEE	
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Received by (Please Print Clearly) <u>M. Miller</u></p> <p>B. Date of Delivery <u>06/06</u></p> <p>C. Signature <u>X M. Miller</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><u>Gulf Coast Collection Bureau, Inc.</u> <u>5630 Marquesas Cir</u> <u>Sarasota, FL 34238-3331</u></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number</p> <p>(Transfer from service label)</p> <p><u>7001 1140 0002 1385 6595</u></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

PS Form 3811, March 2001

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(The Post Office Will Provide Certified Mail Payment)	
<p>OFFICIAL USE</p> <p>UNIT ID: 0906</p>	
Postage	\$ 0.30
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.64
<p>POST TO</p> <p><u>Gulf Coast Collection Bureau Inc</u></p> <p>Street, Apt. No., or PO Box No. <u>5630 Marquesas Cir</u></p> <p>City, State, ZIP+4 <u>Sarasota, FL 34238-3331</u></p>	

PS Form 3800, January 2001

[REDACTED] 294.
Exhibit #3

Gulf Coast Collection Bureau, Inc.

5630 Marquesas Circle Sarasota, FL 34233

May 30th, 2006

CAFOLLA, LOUISE
[REDACTED]

Re: ORTHOTIC & PROSTHETIC CTR

Dear Mr./Mrs. CAFOLLA

We are in receipt of your letter dated May 23, 2006. We have updated the status of this account to a disputed status. We have investigated the nature of this dispute and have determined that this balance is valid, due, and owing. This account will be reported to the Consumer Credit Reporting Agencies as a disputed collection account until you remove the dispute or otherwise settle this account.

Please contact me at 866-505-5711 if you wish to discuss this matter further.

Thank you,



Jim Williams, Account Manager
Gulf Coast Collection Bureau, Inc.

"This is an attempt to collect a debt, and any information obtained
will be used for that purpose."

Exhibit #5

Louise Catolla
[REDACTED]
[REDACTED]

FAX 248 855-6541

Intent to Sue

October 20, 2006

ATTN: Jack W. Brown
Registered Agent
Gulf Coast Collection Bureau, Inc.
5630 Marquesas Circle
Sarasota, FL 34233

RE: Acct. [REDACTED] 294

TO WHOM IT MAY CONCERN:

I recently received a copy of my credit report and see that you have inserted an account, which contains several willful inaccuracies. This letter is my notice to you of my intent to sue Gulf Coast Collection Bureau, Inc. It is also your opportunity to avoid the additional time and expense you will incur defending yourself.

First violation, in spite of your May 30, 2006 letter acknowledging this is a disputed account and should be reported as in dispute, you have not reported the disputed status as required by 15 USC § 1681s-2.

Second violation, you reported an inaccurate DATE OPENED. I have recorded phone messages left by your organization which substantially pre date April 26, 2006.

Third violation, 15 USC § 1692g requires you to provide me a statement of my rights with in 3 days of your initial contact. You have never provided such a statement.

Fourth violation, your initial WRITTEN communication, May 11, 2006, does contain a notice you are a debt collector, but does not provide any notice to me of my right to dispute or request validation.

Each of the above is also a violation Michigan law (see MCL 339.917(k)). As such, I am entitled to further recovery under Michigan statutes. Should I file a complaint with the state Attorney General you could be fined \$2,500.00 for each violation.

My suit will seek \$2,000.00 in statutory damages for the two FCRA violations and \$1,000.00 for the FDCPA violations plus my actual damages plus your liabilities under Michigan law plus costs and attorney's fees. My attorney files in United States Federal Court for the Eastern District of Michigan. He charges \$300.00 per hour.

You have a choice. You can settle now or after I file suit. By settling now you save your legal costs, my attorney's fees and all your liabilities under Michigan law.

To settle now, forward your settlement check, payable to me, in the amount of \$3,000.00 along with a properly executed copy of the enclosed settlement agreement.

I will wait twenty-one (21) days from your receipt of this letter before instructing my attorney to file suit. All further communication between us shall remain in writing.

Give this the serious attention it deserves.

Sincerely,

A handwritten signature in cursive script that reads "Louise Cafolla".

Louise Cafolla

Attached: Settlement Agreement

Online Personal Credit Reports & Credit Scores - TrueCredit

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GULF CST COL

Exhibit #6

Account No.: 0477 Original Creditor: MED102 ORTHOTIC
 Responsibility: Individual Condition: PROSTHETIC CTR
 Original Balance: \$1906 Balance: Derogatory
 Date Opened: 04/26/2006 Date Reported: \$1906
 11/03/2006

Remarks:

[TransUnion] Account closed by consumer

INQUIRY INFORMATION

None Reported

Inquiries

Creditor Name	Date of Inquiry	Credit Bureau
DAIMLERCHRYSL	11/14/2006	TransUnion
CSC MTG	10/31/2006	TransUnion
Seals/CBSO	07/02/2006	TransUnion
DAIMLERCHRYSL	03/31/2006	TransUnion
HSBCALCTY	12/11/2004	TransUnion

CREDIT CONTACTS

Creditor Name	Address	Phone Number
ABN-AMRO	2600 W BIG BEAVER M0904 470 RESEARCH TROY, MI 48064	(248) 457-5234
AMERICAN EXPRESS	P O BOX 297871 FORT LAUDERDAL, FL 33329	(800) 874-2717
AMERICAN GENERAL FINANCE	P O BOX 89 EVANSVILLE, IN 47701	
AMERICAN SUZUKI AUTOMOT	PO BOX 680020 / 20 FRANKLIN, TN 37068	
BANK OF AMERICA	PO BOX 1598 NORFOLK, VA 23501	(800) 444-8430
BANK OF AMERICA M&NA	PO BOX 17034 WILMINGTON, DE 19884	(800) 421-2110
CHASE BANK USA NA	BANK ONE CARD SERV 800 BROOKSEDGE BLV WESTERVILLE, OH 43081	(800) 943-2006
CITIBANK SO NA	POB 6241 SIOUX FALLS, SD 57117	(800) 950-5118
COMERICA BANK	POB 2928 TOLEDO, OH 43608	
DAIMLERCHRYSLER LLC	P O BOX 8223 FARMINGTON HIL, MI 48333	
DAIMLERCHRYSLERFINVCMALL	P O BOX 8033 SOUTHFIELD, MI 48066	

Online Personal Credit Reports & Credit Scores - TrueCredit

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DISCOVER FINANCIAL SERVI
ELAN FINANCIAL SVCS
FASHION BUG
FIRST USA BANK N.A.
GEMBUJ PENNEY
GEMBUJ PENNEY
GEMBUJ MERVYN'S
GULF COAST COLLECTION BU
HSBC VALUE CITY DEPT
HSBC VALUE CITY DEPT STO
KOHL'S DEPARTMENT STORE
LASALLE BANK
MACYS DEPARTMENT STORES
MARSHALL FIELD'S
NATIONAL CITY BANK
NATIONAL CITY CARD SERVI
NATIONALCITYBANK/CSCMTQ
RNB-DAYTON/HUDSON/FIELDS
Sears/CRSD
TARGET NATIONAL BANK
THE LIMITED
VERIZON FL
WELLS FARGO HOME MORTGAG

POB 15316
 WILMINGTON, DE 19800
 CB DISPUTES PO BOX 108 (800) 451-3484
 SAINT LOUIS, MO 63186
 PO BOX 84073
 COLUMBUS, GA 31908
 CORRESPONDENCE P O BOX 8850
 WILMINGTON, DE 19899
 PO BOX 981127 (866) 398-8254
 EL PASO, TX 79988
 PO BOX 881127 (866) 398-8264
 EL PASO, TX 79908
 PO BOX 981127
 EL PASO, TX 79998
 ATTN ROY DILLARD 3671 WEBBER (866) 753-7487
 STREET
 SARASOTA, FL 34232
 P O BOX 15519 (302) 478-9066
 WILMINGTON, DE 19860
 POB 15321
 WILMINGTON, DE 19805
 N56 W17000 RIDGE (262) 703-7000
 MENOMONEE FALL, WI 53061
 2900 W BIG BEAVER
 TROY, MI 48064
 3039 CORNWALLIS RD
 DURHAM, NC 27708
 P O BOX 1628
 MARYLAND HEIGHT, MO 63043
 KA182J P O BOX 600
 PORTAGE, MI 49001
 KA18 2J ONE NCC PKWY
 KALAMAZOO, MI 49008
 208 W FOURTH ST CREDIT AV (613) 851-8280
 EMPIRICA
 CINCINNATI, OH 45202
 3701 WAYZATA BLVD MAIL STOP 2 (800) 659-2396
 CF
 MINNEAPOLIS, MN 55416
 P O BOX 6 (208) 322-6100
 BOISE, ID 83707
 3701 WAYZATA BLVD 2CP
 MINNEAPOLIS, MN 55416
 PO BOX 337001
 NORTHGLENN, CO 80233
 PO BOX 165018
 COLUMBUS, OH 43218
 4680 HALLMARK PKWY
 SAN BERNARDINO, CA 92407

CIVIL COVER SHEET

County in which this action arose Oakland County

This cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as the local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of filing the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<p>(a) PLAINTIFFS Louise S. Cafolla</p> <p>(b) County of Residence of First Listed Plaintiff <u>Oakland County</u> (EXCEPT IN U.S. PLAINTIFF CASES)</p> <p>(c) Attorney's (Firm Name, Address, and Telephone Number) Brian P. Parker, The Law Offices of Brian P. Parker PC, 30700 Telegraph Road, Suite 1580, Bingham Farms, MI 48025 (248) 642-6268</p>	<p>DEFENDANTS Gulf Coast Collection Bureau, Inc.</p> <p>County of Residence of First Listed Defendant _____ (IN U.S. PLAINTIFF CASES ONLY)</p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.</p> <p>Attorneys (If Known) Jeffrey C. Turner and Boyd W. Gentry, Surdyk, Dowd & Turner Co., L.P.A., Kettering Tower Suite 1610, 40 N. Main St., Dayton, Ohio 45423 (937) 222-2333</p>
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<p>II. BASIS OF JURISDICTION (Select One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Select One Box for Plaintiff) (For Div. _____)</p> <p>Citizen of Th _____</p> <p>Citizen of An _____</p> <p>Citizen or Sub Foreign Co _____</p>
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<p>IV. NATURE OF SUIT (Select One Box Only)</p>					
<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 362 Personal Injury - Med. Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p>FORFEITURE</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs.</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p> <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act</p>	<p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 830 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input checked="" type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>	
<p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</p> <p><input type="checkbox"/> 446 Amer. w/Disabilities - Other</p> <p><input type="checkbox"/> 440 Other Civil Rights</p>	<p>PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p>Habeas Corpus:</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p>			

V. ORIGIN (Select One Box Only)

☐ 1 Original Proceeding

☒ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from another district (specify) _____

☐ 6 Multidistrict Litigation

☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
15 USC section 1692 et seq.

Brief description of cause:
Fair Debt Collection Practices Act

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ _____

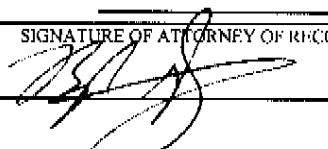
CHECK YES only if demanded in complaint.
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE: December 28, 2006

SIGNATURE OF ATTORNEY OF RECORD: 

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING FEE _____ JUDGE _____ MAG. JUDGE _____

WARRANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :
